

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

JUN 28 2022

MICHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA,

)

Plaintiff,

)

CRIMINAL NO. 22-0298 JB

vs.

)

**AMBER YAZZIE,  
GREGORY YAZZIE,  
RANDY JOE, and  
CHADYNE TOHE,**

Count 1: 18 U.S.C. § 1951(a):  
Interference with Interstate Commerce by  
Robbery; 18 U.S.C. § 2: Aiding and  
Abetting;

Defendants.

)

Counts 2 and 5: 18 U.S.C.  
§ 924(c)(1)(A)(iii): Using and Carrying a  
Firearm During and in Relation to a Crime  
of Violence, and Possessing a Firearm in  
Furtherance of Such Crime; Discharging  
Said Firearm;

)

Count 3: 18 U.S.C. § 924(c)(1)(A)(i):  
Using and Carrying a Firearm During and in  
Relation to a Crime of Violence, and  
Possessing a Firearm in Furtherance of Such  
Crime;

)

Count 4: 18 U.S.C. §§ 1153 and 113(a)(3):  
Assault with a Dangerous Weapon.

SUPERSEDING INDICTMENT

The Grand Jury charges:

Count 1

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendants, **AMBER YAZZIE, GREGORY YAZZIE, RANDY JOE, and CHADYNE TOHE**, unlawfully obstructed, delayed and affected commerce, and the movement of articles and commodities in such commerce, by robbery, in that the defendant unlawfully took and obtained personal property consisting of U.S. currency, from the person and in the presence of Jane Doe 1, Jane Doe 2, and Jane Doe 3, then employed by C+R Insurance, against their will by

means of actual and threatened force, violence, and fear of injury, that is, the defendants threatened Jane Doe 1, Jane 2, and Jane Doe 3 with a firearm.

In violation of 18 U.S.C. § 1951(a).

Count 2

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, robbery as charged in Count 1 of this indictment, and possessed said firearm in furtherance of such crime, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

Count 3

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendant, **GREGORY YAZZIE**, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, robbery as charged in Count 1 of this indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

Count 4

On or about December 6, 2021, in Indian Country, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, an Indian, assaulted John Doe with a dangerous weapon, specifically, a firearm, with intent to do bodily harm.

In violation of 18 U.S.C. §§ 1153 and 113(a)(3).

Count 5

On or about December 6, 2021, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, assault with a dangerous weapon as charged in Count 4 of this indictment, and possessed said firearm in furtherance of such crime, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendants, **AMBER YAZZIE** and **GREGORY YAZZIE**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any ammunition involved in the commission of the offense, including, but not limited to:

- a. various magazines and ammunition seized from the vehicles searched on December 27, 2021, and from the premises of 128 Bosson Wash Road, Vanderwagen, New Mexico searched on December 9, 2021.

A TRUE BILL:

151  
FOREPERSON OF THE GRAND JURY

  
Assistant United States Attorney